

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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<https://oversight.house.gov>

October 26, 2026

The Honorable Matt Meyer
Governor
State of Delaware
150 Martin Luther King Jr. Blvd. South
Dover, DE 19901

Dear Governor Meyer:

The Committee on Oversight and Government Reform seeks assistance obtaining documents related to your state administration's efforts to establish a new form of corporate entity to be known as an Artificial Intelligence Company (AIC). According to your Secretary of State, an AIC would be run day-to-day by an artificial intelligence (AI) agent while providing the human or entity capitalizing the AIC with liability protections from potential harms to business partners, consumers, and the public, perpetrated by the controlling AI "except where [the capitalizer] fails to capitalize the company or uses it to commit fraud or a willful violation of law."¹ While this Committee has promoted² the importance and potential of AI technologies to benefit U.S. citizens, the work of governments, and the global economy, it has also conducted oversight examining uses of artificial intelligence that may be harmful, unfair, or non-transparent to consumers or other businesses through surveillance pricing,³ assessment of housing fees,⁴ and for rental car damage billing.⁵ We are concerned that Delaware's AIC proposal could be used to protect powerful AI companies and their investors from responsibility for reckless harmful actions, while also protecting non-transparent forces seeking anticompetitive regulatory capture behind state AI initiatives.

On July 23, 2025, you signed Delaware House Joint Resolution 7, which directed Delaware's Artificial Intelligence Commission to work with your appointed Secretary of State Charuni Patibanda-Sanchez to create "a regulatory sandbox framework for the testing of innovative and novel technologies that utilize agentic artificial intelligence."⁶ The resolution

¹ John Nay & Charuni Patibanda-Sanchez, *Exclusive: Delaware Proposes Testing the AIC, a New Legal Entity for Agents in a Regulatory Sandbox*, Fortune (July 14, 2026).

² *The Federal Government in the Age of Artificial Intelligence: Hearing Before H. Comm on Oversight & Gov't Reform*, 119th Cong. (Jun. 5, 2025).

³ *Comer Investigates Use of Artificial Intelligence to Set Prices for Consumers*, COMM. ON OVERSIGHT AND GOV'T REFORM: PRESS RELEASES (Mar. 5, 2026).

⁴ *Comer Sounds Alarm on D.C. Plan to Use AI Surveillance to Target District Property Owners*, COMM. ON OVERSIGHT AND GOV'T REFORM: PRESS RELEASES (Sep. 10, 2026).

⁵ *Mace Investigates Use of Artificial Intelligence for Car Rental Damage Assessments*, COMM. ON OVERSIGHT AND GOV'T REFORM: PRESS RELEASES (Aug. 20, 2026).

⁶ H.R.J. Res. 7, 153d Gen. Assemb. (Del. 2025), signed July 23, 2025, <https://legis.delaware.gov/BillDetail/142629>.

directed the state AI Commission, in collaboration with the Secretary of State, to deliver a written report of findings and recommendations no later than January 2, 2026. The subsequent report of the Delaware Artificial Intelligence Commission addressed to you and other state officials on December 22, 2025, noted that a Commission subcommittee is “actively working towards a draft regulatory framework that would create a regulatory sandbox that would test and evaluate agentic artificial intelligence and its application to corporate governance.”⁷ The two-page report referencing House Joint Resolution 7 did not mention any commission efforts to assess the potential safety, harms, risks, or outside consultations with independent experts associated with the proposal.⁸

In late June 2026, authors released a draft 36-page legislative proposal that is reportedly “likely to be introduced in the General Assembly next year.”⁹ John Mark Zeberkiewicz, a lawyer whose biography¹⁰ at Delaware based firm Richards, Layton, & Finger describes him as having represented Facebook (now Meta) and other clients focused on “complex transactional matters involving Delaware corporations, including mergers and acquisitions, corporate governance, and corporate finance” is described as the “principal drafter of the proposed legislation.”¹¹ According to Zeberkiewicz, “Anything that a company can do, the AIC can do as a company.”¹² He further specified this would include allowing AI agents to engage in just about any business activity from providing coding services to filing lawsuits and would protect owners of new AICs from facing legal liability from actions the AI might take.¹³ Delaware Secretary of State Patibanda-Sanchez, in a joint op-ed with an AI company CEO contributing to the project wrote, “Delaware sees this and intends to set the norms for governing AI agents. The legal system has admitted new kinds of actors before. The stakes are higher now, and the timeline shorter with AI capabilities rapidly advancing. We invite the companies building agentic systems to develop the AIC framework with us.”¹⁴ Patibanda-Sanchez was also quoted the same month on the importance of the proposal for positioning Delaware as a haven for registering companies, “Should a new entity form be created out of it, that’s a really huge benefit to our state’s revenues.”¹⁵

One Delaware media outlet reporting on the proposal noted, “It is not immediately clear whether any large company or lobbying group asked Delaware to propose its AI testing ground.”¹⁶ In September 2026, a different media outlet noted the Delaware Secretary of State’s

⁷ Del. Artificial Intelligence Comm’n, Annual Report on the Activities of the Delaware Artificial Intelligence Commission for 2025 (Dec. 2025), <https://ai.delaware.gov/wp-content/blogs.dir/229/files/sites/229/2025/12/Delaware-Artificial-Intelligence-Commission-Annual-Report-2025.pdf>.

⁸ *Id.*

⁹ Naomi Weiss, *Delaware Committee Drafts Plan to Test Companies Run by AI*, Spotlight Delaware (June 30, 2026).

¹⁰ John Mark Zeberkiewicz, *John Mark Zeberkiewicz*, Richards, Layton & Finger, <https://www.rlf.com/lawyers/john-mark-zeberkiewicz/> (last visited Oct. 8, 2026).

¹¹ *Weiss, supra* note 9.

¹² *Id.*

¹³ *Id.*

¹⁴ *Nay, supra* note 1.

¹⁵ *Weiss, supra* note 9.

¹⁶ *Id.*

office declined to answer questions about the nature of the state's working relationship with an AI company contributing to the proposal.¹⁷ While Delaware officials tout the benefits of an AIC regulatory framework for creating transparency around the decision making of an agentic AI, such transparency does not appear to exist in this policy making initiative that may soon result in new state law. The Committee seeks information regarding how Delaware has considered the risks of this initiative as well as the forces driving Delaware, and possibly other states, to adopt such proposals to inform possible federal legislative efforts including proposals to appropriately limit state AI regulatory initiatives.

To assist the Committee's oversight of this matter, we request the following information, covering the time period January 1, 2025, to the present, unless otherwise indicated, as soon as possible but no later than November 9, 2026:

1. All documents and communications, including those to or from non-government entities or persons, including internal AI chat logs, held by your administration regarding policy development efforts or inputs for AIC and any other discussion about artificial intelligence and liability;
2. All ethics, consulting, and other agreements completed by contributors from outside government to AIC policy development;
3. All documents and communications, including those with all individuals or entities consulted, regarding possible safety concerns and harms related to AIC and efforts to limit liability for artificial intelligence;
4. All drafts and all comments and inputs provided for all AIC policy proposals and proposal outlines considered by state officials.

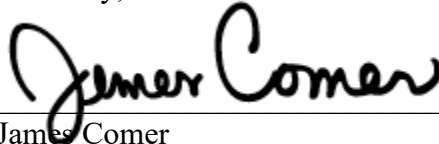
The Committee on Oversight and Government Reform is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X.¹⁸ House Rule X also provides the Committee jurisdiction to study intergovernmental relationships including those of states. To arrange for the delivery of documents, or if you have any questions, please contact Committee on Oversight and Government Reform Majority staff at (202) 225-5074.

¹⁷ Sarah Mueller, *'Not Putting Brakes on': Delaware Pursues AI-Run Companies Initiative Amid Reports of Agents Going Rogue*, WHYY News (Sept. 30, 2026).

¹⁸ Rule X, cl. 4(c)(2), Rules of the U.S. House of Representatives, 119th Cong. (Jan. 16, 2025).

The Hon. Matt Meyer
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Sincerely,

A handwritten signature in black ink that reads "James Comer". The signature is written in a cursive style with a large, prominent "J" and "C".

James Comer
Chairman
Committee on Oversight and Government Reform

cc: The Honorable Robert Garcia, Ranking Member
Committee on Oversight and Government Reform